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Express Mail Label No. EV 912 289 969 US

PATENT APPLICATION
Docket No: 13914.579.11



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Initial application of)
Watterson, et al.)
Serial No.: 10/674,911) Art Unit
Filed: September 29, 2003) 3764
Confirmation No.: 8978)
For: SYSTEMS AND METHODS FOR CONTROLLING THE)
OPERATION OF ONE OR MORE EXERCISE DEVICES)
AND PROVIDING MOTIVATIONAL PROGRAMMING)
Examiner: Unknown)

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

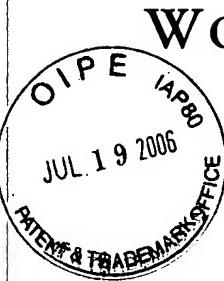
I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Mail Stop: AMENDMENT: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19 day of July 2006:

- Transmittal for Supplemental Information Disclosure Statement (3 pgs.) (in duplicate)
- Information Disclosure Statement (2 pgs.)
- Form PTO-1449 (5 pgs.)
- Copies of 17 references
- Postcard

Respectfully submitted,

Linda Clark, Assistant to
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Attorney for Applicants
Registration No. 45,666
Customer No. 022913
Telephone No. (801) 533-9800

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Via Express Mail Label No. EV 912 288 969 US

PATENT APPLICATION
Docket No: 13914.579.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson, et al.

Serial No.: 10/674,911

Filed: September 29, 2003

Confirmation No.: 8978

For: SYSTEMS AND METHODS FOR CONTROLLING THE
OPERATION OF ONE OR MORE EXERCISE DEVICES
AND PROVIDING MOTIVATIONAL PROGRAMMING

Examiner: Unknown

TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is a Supplemental Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- Statement of relevance of selected cited references not in the English language which are not translated.
- Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

* Admitted only in California
§ Admitted only in Virginia

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- Form PTO-1449 listing 55 references submitted for consideration.
- Copies of the required 17 references listed on the Form PTO-1449.
- English translations as indicated on the Form PTO-1449 of the references which are not in the English language.
- Copies of the following documents from the prosecution of a previous, related application:
 - Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
 - Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
 - Promptness Certification; or
 - Credit Card Form PTO 2038 in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - Promptness Certificate;
 - Petition for Consideration; and

Check No. in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

Petition to Withdraw from Issue; and

Check No. _____ in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

Any fee required in relation to filing of this letter or any documents transmitted therewith.

The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

The submission fee set forth in 37 C.F.R. § 1.17(p).

The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 17 day of July, 2006.

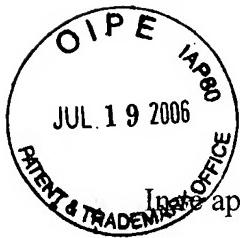
Respectfully submitted,



Fraser D. Roy
Attorney for Applicants
Registration No. 45,666
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Express Mail Label No. EV 912 288 969 US

PATENT APPLICATION
Docket No: 13914.579.11



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

Watterson, et al.

Serial No.: 10/674,911 Art Unit
3764
Filed: September 29, 2003
Confirmation No.: 8978
For: SYSTEMS AND METHODS FOR CONTROLLING THE
OPERATION OF ONE OR MORE EXERCISE DEVICES
AND PROVIDING MOTIVATIONAL PROGRAMMING
Examiner: Unknown

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the required references or relevant portion thereof is also enclosed.

Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 17 day of July, 2006.

Respectfully submitted,



Fraser D. Roy
Attorney for Applicants
Registration No. 45,666
Customer No. 022913
Telephone No. (801) 533-9800

FDR/lrc
LC0000003292V001

Applicant:

Watterson et al.

Serial No.:

10/674,911

Filing Date:

September 29, 2003

Confirmation No.:

8978

For:

SYSTEMS AND METHODS FOR CONTROLLING THE OPERATION OF ONE OR MORE EXERCISE
DEVICES AND PROVIDING MOTIVATIONAL PROGRAMMINGAtt'y Docket No.: 13914.579.11
Group: 3764INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A1.	3,802,698	4/9/74	Burian, et al.	272	57R	
_____ A2.	3,845,756	11/5/74	Olsson	600	520	
_____ A3.	4,408,613	10/11/83	Relyea	600	483	
_____ A4.	4,556,216	12/3/85	Pitkanen	482	131	
_____ A5.	4,709,917	12/1/87	Yang	482	63	
_____ A6.	4,757,495	7/12/88	Decker et al.	370	477	
_____ A7.	4,763,284	8/9/88	Carlin	702	41	
_____ A8.	4,837,157	6/6/89	Turnell et al.	436	20	
_____ A9.	4,866,704	9/12/89	Bergman	370	452	
_____ A10.	4,919,418	4/24/90	Miller	482	6	
_____ A11.	4,925,183	5/15/90	Kim	482	61	
_____ A12.	5,089,960	2/18/92	Sweeney, Jr.	463	6	
_____ A13.	5,180,347	1/19/93	Chen	482	5	
_____ A14.	5,240,417	8/31/93	Smithson et al.	434	61	

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Watterson et al.
Serial No.: 10/674,911
Filing Date: September 29, 2003
Confirmation No.: 8978
For: SYSTEMS AND METHODS FOR CONTROLLING THE OPERATION OF ONE OR MORE EXERCISE DEVICES AND PROVIDING MOTIVATIONAL PROGRAMMING

Att'y Docket No.: 13914.579.11
Group: 3764

_____ A15.	5,361,091	11/1/94	Hoarty et al.	725	119
_____ A16.	5,375,068	12/20/94	Palmer et al.	709	204
_____ A17.	5,462,503	10/31/95	Benjamin et al.	482	4
_____ A18.	5,466,200	11/14/95	Ulrich et al	482	4
_____ A19.	5,546,324	8/13/96	Palmer et al.	348	14.1
_____ A20.	5,572,643	11/5/96	Judson	709	218
_____ A21.	5,590,128	12/31/96	Maloney et al.	370	260
_____ A22.	5,598,849	2/4/97	Browne	600	520
_____ A23.	5,605,336	2/25/97	Gaoiran et al.	273	445
_____ A24.	5,655,997	8/12/97	Greenberg et al.	482	5
_____ A25.	5,663,951	9/2/97	Danneels et al.	370	230
_____ A26.	5,690,582	11/25/97	Ulrich et al.	482	4
_____ A27.	5,695,400	12/9/97	Fennell Jr. et al.	463	42
_____ A28.	5,754,765	5/19/98	Danneels et al.s	709	222
_____ A29.	5,771,354	6/23/98	Crawford	709	229
_____ A30.	5,838,906	11/17/98	Doyle et al.	715	501.1
_____ A31.	5,854,833	12/29/98	Hogan et al.	379	114.14
_____ A32.	5,909,544	6/1/99	Anderson II et al.	709	208

Examiner:

Date Considered:

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Applicant: Watterson et al.
Serial No.: 10/674,911 Att'y Docket No.: 13914.579.11
Filing Date: September 29, 2003 Group: 3764
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For: SYSTEMS AND METHODS FOR CONTROLLING THE OPERATION OF ONE OR MORE EXERCISE
DEVICES AND PROVIDING MOTIVATIONAL PROGRAMMING

<u> </u>	A33.	5,956,509	9/21/99	Kevner	719	330
<u> </u>	A34.	6,066,075	5/23/00	Poulton	482	8
<u> </u>	A35.	6,171,218	1/9/01	Shea	482	57
<u> </u>	A36.	6,458,060	10/1/02	Watterson et al.	482	54
<u> </u>	A37.	6,616,578	9/9/03	Alessandri	482	8
<u> </u>	A38.	6,645,124	11/11/03	Clem	482	4

Other Documents
(including author, title, pertinent pages, etc.)

Examiner
Initial*

- A39. Little Tony, One on One Video Trainer (for Model No. T1T123040), June 1995 (25 pages).
- A40. Men's Journal, Squat.com. The Home Gym Goes Online, May 2000 (2 pages).
- A41. MSNBC.com, Smart Fitness Section, On A Quest for Fitness – The latest workout gear and Gadgets, February 29, 2000 (6 pages).
- A42. OPTIONS Manual: Video Track/Track Five/Personal Trainer Plus (Part No. 109917) cited as "OPTIONS"), September 1992 (2 pages).
- A43. PR Newswire, Turn Your Treadmill Into a Internet Appliance with www.iFIT.com, October 19, 1999 (3 pages).
- A44. PRO-FORM 8.0 TXP Manual (for Model No. PF080010) (cited as "8.0TXP"), November 1991 (16 pages).

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- _____ A45. The Boston Globe, Living Section, Pg. F1, Wired Workout Local Gyms, March 11, 2000 (2 pages).
- _____ A46. The Herald Journal, People in Business, ICON winds Awards, Vol. 91, No. 128, May 7, 2000 (1 page).
- _____ A47. US Weekly, Pg. 71, Work Out Online, March 27, 2000 (2 pages).
- _____ A48. Communications of the ACM, Vol. 35, No. 6, cited as "Comm of the ACM", June 1992 (10 pages).
- _____ A49. Ebsco Publishing, New home exercise equipment: your computer?, June 2000 (3 pages).
- _____ A50. Fortune Magazine, Pg. 84, Virtual Workouts – Treadmills Possessed, April 17, 2000 (2 pages).
- _____ A51. Good House Keeping, Pg. 53, A Run for the Money, February 2000 (2 pages).
- _____ A52. IEEE Publication, A Telerobotics Construction Set with Integrated Performance Analysis, 0-8186-7108-4/95 (IEEE) (cited as "Telerobotic Con."), April 1995 (7 pages).
- _____ A53. IEEE Publication, Intelligent Monitoring System for Limited System for Limited Communication Path: Telerobotic Task Execution over Internet, 0-8186-7108-4/95 (IEEE) (cited as "Intelligent"), April, 1995 (6 pages).
- _____ A54. Lifestyler 10.0 ESP Manual (for Model No. 297052) (cited as "10.0 ESP"), November 1992 (16 pages).

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DEVICES AND PROVIDING MOTIVATIONAL PROGRAMMING

Att'y Docket No.: 13914.579.11
Group: 3764

-
- A55. 1994 Pro-Form First in Fitness, (1994 Copyright ProForm Products, Inc.), (16 pages).

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

LC0000003293V001

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.